

STAFF REPORT

DATE: June 13, 2022
TO: Sacramento Regional Transit Board of Directors
FROM: Tabetha Smith, Clerk to the Board
SUBJ: APPROVAL OF THE ACTION SUMMARY OF MAY 9, 2022

RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS
BOARD MEETING
May 9, 2022**

ROLL CALL: Roll Call was taken at 5:34 p.m. via Zoom. PRESENT: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Absent: Directors Budge, Jennings and Kennedy.

1. PLEDGE OF ALLEGIANCE

Chair Miller requested a motion to rearrange the order of the Agenda to hear items 4.3 and 4.4 following the consent calendar in an effort to accommodate Mayor Steinberg and City of Sacramento representatives who were in attendance to participate in these two items.

Director Valenzuela moved; Director Schenirer seconded approval of the motion to rearrange the order of the Agenda to hear items 4.3 and 4.4 first. Motion was carried by roll call vote. Ayes: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Jennings and Kennedy.

2. CONSENT CALENDAR

- 2.1 Motion: Approval of the Action Summary of April 11, 2022
- 2.2 Resolution 2022-05-041: Authorize the Board of Directors to Teleconference from May 9, 2022 through June 7, 2022, in Compliance with the Brown Act Pursuant to Government Code Section 54953 as Amended by Assembly Bill 361, During the COVID-19 Pandemic (O. Sanchez-Ochoa/T. Smith)
- 2.3 Resolution 2022-05-042: Approving the Third Amendment to the Contract for Bus Vehicle Advertising with Lamar Transit LLC (D. Selenis)
- 2.4 Resolution 2022-05-043: Approving the Fourth Amendment to the Lease of Office Space at 2810 O Street (J. Adelman)
- 2.5 Resolution 2022-05-044: Conditionally Approving the Contract for On-Call Plumbing Services with ACCO Engineered Systems, Inc. (L. Ham)
- 2.6 Resolution 2022-05-045: Approving a Title VI Service Equity Analysis and Adopting Service Changes for September 2022 and Future Service (L. Ham)

- 2.7 Resolution 2022-05-046: Declaring Evergreen Properties (APN: 275-0240-074 and -093) Excess to Transit Operations as Surplus (J. Adelman)
- 2.8 Resolution 2022-05-048: Approving the Contract for On-Call Light Rail Vehicle Seat Reupholstery Services with Acme Tops and Tunes, LLC (E. Stanley)
- 2.9 Approving the Student Transit Pass Agreement – 2022-2025 with the City of Sacramento and Conditionally Approving the Issuance of an Annual Student (TK-12) Pass to Students without a Full Fare Subsidy (J. Adelman)
 - A. Resolution 2022-05-049: Delegating Authority to the General Manager/CEO to Approve the Student Transit Pass Agreement – 2022-2025 with The City of Sacramento
 - B. Resolution 2022-05-050: Conditionally Authorizing Students (TK-12) Residing in or Attending School Within SacRT’s Service Boundary to Obtain an Annual Student (TK-12) Pass Prepaid Fare Valid from July 1, 2022 through June 30, 2023 Without Full Payment by a Sponsoring Entity
- 2.10 Police Services Personal Services Contract Employees (L. Hinz)
 - A. Resolution 2022-05-053: Approving the First Amendment to the Amended and Restated Personal Service Contracts with 1 Security and Safety Administrator, Mark Sakauye and 2 Security and Safety Program Specialists, Tino Bamberger and Benjamin Louie; and
 - B. Resolution 2022-05-054: Approving the First Amendment to the Contract for Personal Services with 1 Background Investigator, Stephen Lau
- 2.11 Security Operations Center Personal Services Contract Employees (L. Hinz)
 - A. Resolution 2022-05-051: Approving the Amended and Restated Personal Services Contracts for Temporary Employment with 1 Security Operations Center Manager, 2 Security Operations Center Lead Specialists, and 6 Security Operations Center Specialists. This includes Amending the Contracts to Update the Benefit Terms for 1 Security Operations Center Manager, 2 Security Operations Center Lead Specialists and 6 Security Operations Center Specialists; and

B. Resolution 2022-05-052: Approving the First Amendment to the Personal Services Contract for Temporary Employment with 1 Security Operations Center Specialist

Public comment was taken by phone from Jeffery Tardaguila and Nick Bryant.

Mr. Tardaguila was concerned about the transcription ability with the use of a webinar during the Public Hearing.

Mr. Bryant shared that there is graffiti on the bus shelters.

Chair Miller stated it is best to report graffiti as soon as possible.

Director Harris moved; Director Howell seconded approval of the consent calendar as written. Motion was carried by roll call vote. Ayes: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Jennings and Kennedy.

4.3 Motion: Roseville Road Safe Parking Program (O. Sanchez-Ochoa)

Olga Sanchez-Ochoa shared there have been several meetings with the City of Sacramento and SacRT staff since the April 11th Board meeting to work through the remaining issues on the Roseville Road lease. She thanked City Counsel Susana Alcalá-Wood for being open and responsive to SacRT's concerns. The primary remaining issue is enforcement within the Public Safety Zone (PSZ) that the City is obligated to establish pursuant to the terms of the proposed lease. The authority that was delegated to the General Manager to enter into the three-party lease between SacRT, the City and Caltrans required that the lease contain an obligation that the City remove any unauthorized campers outside of the safe parking zone.

After discussions, the City clarified its position and agreed to enforce within those areas of the PSZ that are on or within 25 feet of critical infrastructure as defined in the City's Ordinance. The City has committed to enforce the restrictions imposed by the City's Critical Infrastructure Ordinance within the PSZ to the extent permitted by law. The area that will be covered by the City's agreement to enforce covers approximately 85% of the proposed zone; however, leaving approximately 15% of the PSZ that will not be covered, and enforcement will only take place within those areas to the extent the unauthorized campers are engaged in illegal activities. To help mitigate those potential issues, SacRT, the City and Caltrans will meet on a weekly basis to coordinate any issues that come up within the PSZ and review the monitoring metrics. Staff is asking that the Board authorize the General Manager to enter into the lease understanding the enforcement will not take place in a very small portion of the station.

A second issue that was discussed is whether the City would indemnify SacRT for any claims arising from the City's enforcement of the Critical Infrastructure Ordinance within the PSZ. The City confirmed that it would indemnify SacRT and Caltrans and the

language that will be included in the lease agreement has been agreed on.

The final issue that SacRT staff and City staff discussed was the issue of Sacramento Police Department officers assigned to SacRT and their ability to enforce the City's Critical Infrastructure Ordinance within SacRT's property. The City advised that if SacRT adopts the City's Critical Infrastructure Ordinance, Sacramento Police Department officers assigned to SacRT could enforce the Ordinance to achieve that. SacRT is proposing amending the Prohibited Acts Ordinance which is found at Title 15 of the SacRT Administrative Code, and adding language that prohibits camping within 25 feet of critical infrastructure as defined in the City's Ordinance and incorporating the City code by reference. Ms. Sanchez-Ochoa then turned it over to General Manager/CEO Mr. Henry Li.

Mr. Li thanked the parties involved and shared that SacRT and City staff have significantly improved communication skills to navigate this complicated process to find an innovative solution. Mr. Li gave a shout out to the legal team and acknowledged everyone's collaborative spirit and due diligence to reach a reasonable deal to enforce safety and indemnify SacRT. Mr. Li shared that SacRT staff will be looking for potential grants for this project so that SacRT will be able to support cities and the unhoused population.

Mr. Li thanked Mayor Steinberg for attending the Board meeting and spearheading this extremely important project for the whole region.

Mayor Steinberg shared that he is a former SacRT Board Member and thanked Mr. Li, SacRT Chief Counsel, City Manager - Howard Chan, Susana Alcala-Wood, and all the respective teams. He cited that these issues are not easy, but the product is worth it in his opinion because it establishes an important precedent. Even though SacRT and the City are separate governing bodies, the intersection of this issue impacts everyone regardless of what the responsibilities in leadership are. To be able to provide relief and alleviate the burden on Roseville Road itself and other parts of the City and County and to use this as the beginning of a pathway for people and families out of homelessness is a heroic act. Mayor Steinberg commended Mr. Li for wading through the issues.

Chair Miller thanked Mayor Steinberg for his comments.

Director Serna thanked Mr. Li, SacRT staff and the City of Sacramento's team and stated this has been a compliment to everything that both the City and County have been working on to address the ongoing complexities of unsheltered constituents in a compassionate way. Director Serna thanked Councilmember Loloee and Supervisor Desmond and stated he will be supporting this.

Public comment was taken by phone from Jeffery Tardaguila, Nick Bryant, Barbara Stanton and Rick Hodgkins.

Mr. Tardaguila is concerned for those that are outside of the Roseville Road site, specifically with regards to the sidewalks, because code enforcement has not been very effective at the W. Street site.

Mr. Bryant thanked Mayor Steinberg and offered to help with unhoused in the community.

Ms. Stanton stated that RiderShip for the Masses fully supports this action.

Mr. Hodgkins, a disabled individual, is concerned about the safety pertaining to the unhoused at the light rail stations.

Director Harris stated that this is a good compromise, and it is imperative that that the SacRT station and surrounding area is protected in order for the safe camping ground site to be effective and meaningful. He moved approval of the item.

Chair Miller thanked the City of Sacramento for the indemnification and requested a monthly report back from SacRT staff on some key performance indicators such as ridership and incidents so that there is an eye on things and mentioned he would be in support of the item.

Director Harris moved; Director Serna seconded approval of the item as written. Motion was carried by roll call vote. Ayes: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Jennings and Kennedy.

- 4.4 Resolution 2022-05-056: Amending Title XV, Prohibition of Specified Acts Committed in or on RT Vehicles or Facilities, of the SacRT Administrative Code, to Provide Notice of Conduct Prohibited Under Public Utilities Code Section 99170 (O. Sanchez-Ochoa)

Olga Sanchez-Ochoa stated that SacRT is asking the Board to amend Title 15 to add camping as a prohibited act under Public Utilities Code Section 99170 and will be incorporating the City's Critical Infrastructure Ordinance into the Prohibited Acts Ordinance so that both SacRT police officers or the police officers assigned to SacRT and the City of Sacramento can enforce within Roseville Road and other properties owned by SacRT.

Director Schenirer moved; Director Nguyen seconded approval of the item as written but noting a correction to the staff report that the Public Utilities Code Section referenced should be 99170. Motion was carried by roll call vote. Ayes: Directors Harris, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Howell, Jennings and Kennedy.

3. INTRODUCTION OF SPECIAL GUESTS

4. UNFINISHED BUSINESS

4.1 Resolution 2022-05-055: Adopting the Short-Range Transit Plan – SacRT on the Move (Fiscal Years 2022-2027) (L. Ham)

Laura Ham acknowledged that the Short-Range Transit Plan (SRTP) presentation work is a culmination of efforts over the past many months and was developed in-house by SacRT's small planning team. Ms. Ham thanked the Board for input at the February 14th meeting when the plan was released for public comment. She then provided a quick recap explaining a SRTP is required for SacRT as a direct recipient of federal funding. The new plan spans fiscal years 2022-2027 and includes the September service changes authorized on consent and will be updated as needed in that time period. Ms. Ham announced that the public comment period is now complete and public outreach efforts have been documented in the plan and in the written staff report. She thanked all including the many partner agencies that have provided input on the document.

Ms. Ham added that a primary goal of the project was to incorporate all the public comment and lessons learned since the SacRT forward network redesign in 2019 and to encourage extensive feedback on what comes next to allow SacRT to develop a sensible plan for moving ahead. Ms. Ham shared that future service considerations which include SacRT Forward project goals, the pandemic, regional growth and development, unmet transit needs, the budget, ridership building and recovery, equity, and climate action.

Ms. Ham stated the financial forecast model used to establish service levels does not assume a local sales tax measure and if a new funding source becomes available, the model and the SRTP would be amended accordingly and SacRT would propose adding service where a need has been identified.

Ms. Ham added that 95 written comments were received and expressed appreciation for those that took the time to participate in outreach meetings and comment. She then provided some explanations to the top five common requests that were received during the comment period.

Public comment was taken by phone from Jeffery Tardaguila and Rick Hodgkins.

Mr. Tardaguila believes that when the public is given the opportunity to comment, it results in a more helpful plan. He then offered some suggestions and insight on a few issues.

Mr. Hodgkins is hoping that the local sales tax measure on the ballot will pass. He is glad that SacRT will be bringing more service to Natomas and questioned the intended location of the light rail that would be going there. He is hoping there will not be any additional cuts to service.

Chair Miller moved; Director Schenirer seconded approval of the item as written. Motion was carried by roll call vote. Ayes: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Jennings and Kennedy.

- 4.2 Resolution 2022-05-047: Approving a Visual Artwork Policy and Standards Pertaining to The Approval and Placement on SacRT Property (D. Selenis)

Devra Selenis provided an update on the visual artwork policy which was amended to address some of the matters raised during the March 28th Board meeting including art in public places in and public memorials. She added that the discussion regarding window coverage will also be addressed in future Board light rail advertising procurements.

Director Serna thanked Ms. Selenis and Mr. Flores for taking the time to meet with him one on one which helped shape a slightly improved policy which he will be supporting.

Public comment was taken by phone from Barbara Stanton.

Ms. Stanton expressed concern about the window coverings affecting the ability to see out of the light rail and hoping that issue will be resolved.

Ms. Selenis responded that when bus and light rail advertising contracts are brought back to the Board, the advertising will only cover a maximum of 50 percent of the windows. She recognized that advertising on windows is a safety concern and a maintenance issue.

Director Serna moved; Director Nguyen seconded approval of the item as written. Motion was carried by roll call vote. Ayes: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Jennings and Kennedy.

5. PUBLIC HEARING

- 5.1 Public Hearing: Preliminary FY 2023 Operating and Capital Budgets (J. Adelman)
- A. Accept Public Comment on the Sacramento Regional Transit District Preliminary FY 2023 Operating and Capital Budget; and
 - B. Motion: To Continue the Public Hearing to June 13, 2022

Jamie Adelman stated that she is pleased to be presenting a balanced budget to the Board. Ms. Adelman went over FY23 Budget assumptions that were looked at strategically. She explained that the operating budget includes provisions to maintain all current service levels with minor modifications throughout the year and that the budget supports the four strategic objectives identified by the Board and Executive Management

by focusing on customer satisfaction, operational excellence, community value, and employee engagement. Ms. Adelman stated that SacRT will continue to utilize federal stimulus funds to offset fare revenue shortfalls and does not anticipate making any changes to the fare rates in the current year. She stated no staffing reductions will occur, more frontline positions will be added, and all employees will receive their annual increases.

Ms. Adelman announced that the FY23 operating budget is currently coming in at approximately \$230.9 million with a healthy focus on operations at 77% and 23% of the budget for administrative support. The capital budget is continuing to grow as SacRT identifies strategic infrastructure projects that need to progress forward.

Ms. Adelman explained that 90% of revenues come from three sources which are state assistance (Local Transportation Fund), Measure A (local sales tax) and the federal stimulus funds. If SacRT continues to spend based on this target SacRT will have about \$70 million of ARP funds available for the FY24 and future budgets. The remaining 10% is comprised of fares and other miscellaneous income.

Ms. Adelman introduced the FY23 capital budget, still in development, with a current mix of projects heavy on revenue vehicle replacement. She announced that SacRT's current operating cash reserve account balance is \$23.5 million which demonstrates that SacRT has been acting in a fiscally responsible manner and setting aside reserves to manage potential shortfalls in the future.

Ms. Adelman stated SacRT is on pace to end FY22 with an operating surplus of approximately \$3.5 million which would achieve the policy target. Ms. Adelman said this achievement would not be possible without the fiscally responsible leadership from the Board, Mr. Li and the Executive Management Team.

Ms. Adelman provided a financial outlook for SacRT noting additional funding needs for state of good repair projects, that COVID is still impacting ridership and that SacRT's cash position has improved. She then added that SacRT has not used the credit line since September of 2020 which is unprecedented and has saved SacRT hundreds of thousands of dollars in interest expense. Also, thanks to the bipartisan infrastructure law SacRT is seeing an increase in funds used for operations which will assist in providing financial stability.

Chair Miller stated this great news.

Public comment was taken by phone from Jeffery Tardaguila, Rick Hodgkins, Nick Bryant and Helen O'Connell.

Mr. Tardaguila offered comments about the operating budget and the charts presented. He appreciates seeing that the credit line has not been utilized in the last couple of years. He is supportive of submitting more applications for additional state funding.

Mr. Hodgkins is unsure if this pertains to the capital budget or the SRTP but forgot to mention changes to the light rail and a new bus bay at the Amtrak station for SacRT buses. He wanted to be sure there is signage available not just in print but also auditorily and/or in braille.

Mr. Bryant would like for connect cards to be put inside the light rail vehicles and inside SacRT Go Paratransit buses.

Ms. O'Connell is glad that there is a surplus and recommends concentrating on improving on time services for SacRT Go and reducing the number of missed trips for the bus system.

Director Nguyen moved; Director Harris seconded approval to continue the Public Hearing to the June 13, 2022 SacRT Board Meeting. Motion was carried by roll call vote. Ayes: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Noes: None; Abstain: None; Absent: Directors Budge, Jennings and Kennedy.

6. PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA

Public comment was taken by phone from Barbara Stanton, Allison Kustic, Rick Hodgkins and Jeffery Tardaguila.

Ms. Stanton expressed concern regarding the number of bus cancellations and the best way to notify riders of cancellations. She also requested for the agenda to be posted earlier..

Ms. Kustic encouraged the Board to conduct oversight on the effectiveness and success of the SacRT Smart Ride program and offered her assistance to help to improve the service.

Mr. Hodgkins is also concerned about the graffiti on the new elevator doors at the Watt I-80 light rail station and is recommending implementation of an auditory system, like what BART and San Francisco Muni uses, to inform visually impaired passengers of arrivals, departures and in the event that the elevators are out of order.

Mr. Tardaguila also echoed concerns about graffiti and asked why there are not security cameras outside or inside the elevators. He is concerned that there is going to be a more senior population and is wondering how SacRT is directing the concern of the master plan on aging. He recommended making space on buses for a second electronic wheelchair, acquiring the ability for the system to acknowledge a delay and addressing the reliability of both Smart Ride and the standard bus system.

The Clerk read one written public comment into the record from Glenn Mandelkern.

Mr. Mandelkern expressed appreciation for the many forms of Free Ride flyers that have been made available and has made use of them attending several local events. He had hoped to be able to attend the meeting this evening but an incidence at the Fruitridge Station where he was wrestled and had his phone stolen prevented his attendance.

7. NEW BUSINESS

8. GENERAL MANAGER'S REPORT

- 8.1 General Manager's Report
 - a. Major Project Updates
 - b. Capital Corridor JPA Meeting Summary – April 20, 2022 (Miller, Harris)
 - c. SacRT Meeting Calendar

Mr. Li began his report by wishing all the mother's a belated Happy Mother's Day. He then recognized that the annual May is Bike Month tradition that is well underway, and that transit and cycling make a great team in helping to combat climate change.

Mr. Li provided a legislative update noting that at the end of April, the California State Senate released their budget plan which includes \$20 billion for infrastructure over the next four years.

Mr. Li thanked Chair Miller, Directors Budge, Harris, Jennings and Nottoli as well as SacRT staff that were back in Washington DC last week advocating for investments in public transit. As congress prepares for the FY23 budget, there will be another opportunity for members to seek community project funding. House members are limited to 15 requesters and SacRT is extremely honored to have been informed that Congressman Bera will move forward with SacRT's request for funding the low-flow conversion of several stations along the gold line. SacRT has submitted the delegation to the capital and are waiting to hear back.

Mr. Li announced that the elevators at the Watt and I-80 station have been renovated and are open for riders. Mr. Li thanked everyone for their patience during the upgrade process. He shared that future improvement plans are underway for the Watt I-80 Transit Center including the reconfiguring of the east and west stairwells to increase visibility and safety, and upgrading the transit center by enhancing safety, lighting, seating, and widening the bus loading zone with an anticipated final design complete by summer next year.

Mr. Li provided a brief real estate update announcing that at the end of last month he signed the lease agreement for office space at 1102 Q. Street which is conveniently served by all three light rail lines and several bus routes. The building will host SacRT's administrative staff and phase one of the move will begin later this summer.

Mr. Li congratulated and thanked the budget team and agency-wide staff for a smooth

budget process, a fiscally responsible budget and for identifying new and innovative funding sources. He thanked the leadership team for having a strong sense of responsibility and ownership for the fiscal health of the agency and ensuring a highly responsible, accountable, and reasonable budget that will ensure equitable service to the community. He announced that SacRT's FY22 budget document received the Government Financial Officers Association's Distinguished Budget Presentation Award again.

Mr. Li concluded his remarks with a topic several community leaders have raised regarding bus cancellations stating that SacRT has been working diligently to address the workforce strategy and is working hard to find the best balance for reducing cancellations and whether it should involve cutting services.

9. **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**
10. **CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)**
11. **ANNOUNCEMENT OF CLOSED SESSION ITEMS**
12. **RECESS TO CLOSED SESSION**

The Board recessed to Closed Session at 7:04 p.m.

Roll Call was taken via Zoom: PRESENT: Directors Harris, Howell, Nguyen, Nottoli, Schenirer, Serna, Valenzuela and Chair Miller. Absent: Directors Budge, Jennings and Kennedy

13. **CLOSED SESSION**

13.1 Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9
Existing Litigation

- a. Johnson v. SacRT
Case Number 34-2020-00282348
- b. Vickers v. SacRT
Case Number 34-2017-00218342

14. **RECONVENE IN OPEN SESSION**

15. **CLOSED SESSION REPORT**

There was no Closed Session Report.

16. **ADJOURN**

As there was no further business to be conducted, the meeting was adjourned at 7:18 p.m.

STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary